

# Transportation/Public Works

## Final Agenda

### Louisville Metro Council

**Meeting Date:** 05/02/2006

**Meeting Time:** 4:00 PM

**Location:** Third Floor, City Hall

**Chairs:** Tom Owen (8)

**Members:** Tom Owen (8)  
Vicki Welch (13)  
Robert Henderson (14)  
George Melton (15)  
Hal Heiner (19)  
Stuart Benson (20)  
Robin Engel (22)

**Special Items for Discussion:** Sewer Capacity Ordinance - Teena Halbig, Co-Chair Floyds Fork Environmental Association

- 1 [R-55-04-06](#) A RESOLUTION AMENDING RESOLUTION NO. 32, SERIES 2006 SUPPORTING THE FOLLOWING PROJECTS AND AUTHORIZING THE MAYOR TO APPLY FOR AND ENTER INTO AGREEMENTS WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS CONCERNING THE PRESTON HIGHWAY CORRIDOR RAIL BRIDGE SCENIC BEAUTIFICATION, 18TH STREET CORRIDOR MULTI-MODAL ENHANCEMENT, K & I RAILROAD BRIDGE, AND BICYCLE PRIORITY CORRIDOR IMPROVEMENT AND THE FARNSLEY-KAUFMAN MUSEUM AND TRAILS PROJECT.  
[Sponsor\(s\)](#) [Transportation/Public Works](#)
- 2 [O-73-04-06](#) AN ORDINANCE AMENDING AND RE-ENACTING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) CHAPTER 93 WITH REGARD TO EMERGENCY SERVICES TELEPHONE COMMUNICATIONS LINES. (TABLED)

[Sponsor\(s\)](#)      [Transportation/Public Works](#)

- 3    [R-247-11-05](#)    A RESOLUTION RENAMING THE SOUTH LOUISVILLE GOVERNMENT CENTER BUILDING IN HONOR OF WILLIAM H. "BILL" WILSON. (tabled)

[Sponsor\(s\)](#)      [Transportation/Public Works](#)

- 4    [R-246-11-05](#)    A RESOLUTION URGING THE KENTUCKY PUBLIC SERVICE COMMISSION TO RE-EVALUATE LOUISVILLE GAS AND ELECTRIC COMPANY'S (LG&E) REQUEST FOR A NATURAL GAS RATE INCREASE, AND DECLARING THE ENACTMENT OF THIS RESOLUTION AN EMERGENCY. (Tabled)

[Sponsor\(s\)](#)      [Transportation/Public Works](#)

**RESOLUTION NO. \_\_\_\_\_, SERIES 2006**

**A RESOLUTION AMENDING RESOLUTION NO. 32, SERIES 2006 SUPPORTING THE FOLLOWING PROJECTS AND AUTHORIZING THE MAYOR TO APPLY FOR AND ENTER INTO AGREEMENTS WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET DEPARTMENT OF HIGHWAYS CONCERNING THE PRESTON HIGHWAY CORRIDOR RAIL BRIDGE SCENIC BEAUTIFICATION, 18<sup>TH</sup> STREET CORRIDOR MULTI-MODAL ENHANCEMENT, K & I RAILROAD BRIDGE, AND BICYCLE PRIORITY CORRIDOR IMPROVEMENT AND THE FARNSLEY-KAUFMAN MUSEUM AND TRAILS PROJECT.**

**Sponsored By: Councilmen Tom Owen and Bob Henderson**

**WHEREAS**, the Metro Government desires to apply for and receive state grants for the following projects;

**BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**SECTION I:** That the Mayor is hereby authorized to apply for and enter into Agreements with the Commonwealth of Kentucky Transportation Cabinet Department of Highways for the following projects:

- Preston Highway Corridor Rail Bridge Scenic Beautification for the design and implementation of improvements that will enhance the corridor including a railroad overpass.
- 18th Street Corridor Multi-modal Enhancement for multi-modal and streetscape improvements for the 18th Street corridor between Broadway and Algonquin Parkway.
- K & I Railroad Bridge for the construction of bicycling and pedestrian facilities on the K & I Railroad Bridge to connect Louisville with southern Indiana communities.

- Bicycle Priority Corridor Improvement for improvements for bicycling on River Road, Taylorsville Road and New Cut Road.
- Farnsley-Kaufman Museum and Trails Project to create an educational park and interpretive trail system connecting the historic Farnsley-Kaufman House, the Farnsley Cemetery, Farnsley Middle and Sara Belle Wellington Elementary Schools, Cane Run and Riverside Gardens Parks.

**SECTION II:** This Resolution shall take effect upon its passage and approval.

\_\_\_\_\_  
Kathleen J. Herron  
Metro Council Clerk

\_\_\_\_\_  
Kevin J. Kramer  
President of the Council

\_\_\_\_\_  
Jerry E. Abramson  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Irv Maze  
Jefferson County Attorney

BY: \_\_\_\_\_

Planning and Design - Resolution Authorizing Application and Agreement with State for Four Projects 022206  
AgrmtWithStateFourProjectsTEfundsROCbknDraft2.doc  
AgrmtWithStateFourProjectsTEfundsROCbknDraft3Amended.doc

3-2-06  
4-19-06

ORDINANCE \_\_\_\_\_, SERIES 2006

AN ORDINANCE AMENDING AND RE-ENACTING  
LOUISVILLE METRO CODE OF ORDINANCES  
(LMCO) CHAPTER 93 WITH REGARD TO  
EMERGENCY SERVICES TELEPHONE  
COMMUNICATIONS LINES.

Sponsored by: Council Member George Melton

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL AS  
FOLLOWS:

**SECTION I.** LMCO Chapter 93 is hereby amended and re-enacted as follows:

GENERAL PROVISIONS

Section 93.01 DEFINITIONS.

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

911 EMERGENCY TELEPHONE SERVICE - A telephone service that provides the user of the public telephone system the ability to place calls to a public safety answering point on a 24-hour basis, and to reach local public safety agencies by dialing the digits 9-1-1.

~~ANSWERING SERVICE. A telephone answering service providing among its services the service of receiving on a continuous basis through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the communication center of the Louisville~~

~~Metro Police Department, the urban services fire department or suburban fire protection districts, Emergency Medical Services, MetroSafe, Emergency Management Agency, or other Emergency Service Agency.~~

AUTOMATIC DIALING DEVICE. An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designated to detect.

E911 (ENHANCED 911). An emergency telephone system that provides the caller with wireline emergency 911 system service and also directs 911 calls to appropriate public safety answering points based on the geographical location from which the call originated; displays caller's telephone number and associates a physical address with such number. Currently works on land lines, but not reliable with cellular telephone or Voice over Internet Protocol.

~~EMERGENCY SERVICE AGENCY. For purposes of this ordinance, any agency of the Metro Government which provides emergency services to the public.~~

~~EMERGENCY SERVICE COMMUNICATION LINES. Any of the various regular telephone lines used by any of Metro Government's emergency service agencies included are the telephone lines of the Police Department, the various volunteer fire departments, emergency medical services, disaster and emergency services, the Department of Public Works, and the "911" emergency response telephone numbers.~~

PUBLIC SAFETY AGENCY. For purposes of this ordinance, this term shall refer to any agency of the Metro Government that provides emergency services to the public, including Louisville Metro Police Department, Louisville Fire and Rescue, suburban Fire Protection Districts, Louisville Metro Emergency Medical Services, Emergency Management Agency, MetroSafe, and the secondary public safety answering points within the geographical boundaries of Louisville Metro .

PUBLIC SAFETY ANSWERING POINTS. Communications facilities assigned the responsibility to accept emergency and nonemergency telephone calls, which then relay the information to the appropriate Public Safety Agencies within the Louisville Metro geographical boundaries.

SERVICE SUPPLIER. A person or entity that provides local exchange telephone service to a telephone subscriber;

TELEMATICS. A wirelss communications system designed for the collection and dissemination of information; particularly vehicle-based electronic systems, vehicle tracking and positioning, on-line vehicle navigation and information systems and emergency assistance.

VoIP (also known as Voice over Internet Protocol or internet telephony). Technology that enables routing of voice conversations over the internet or any other IP network.

Section 93.02 ~~LEGISLATIVE FINDING AND PURPOSE.~~

~~—— (A) The Metro Council hereby determines that the public health and safety is endangered by the present and future use of automatic dialing devices in connection with emergency service telephone communication lines.~~

~~—— (B) The Metro Council hereby determines that privately owned or leased burglar alarm or fire alarm systems are presently in use within Jefferson County Louisville Metro, which result in a high incidence of false alarms.~~

~~(C) The Metro Council hereby determines that automatic dialing devices, programmed or regulated to make connection with any of the various emergency service telephone communication therewith the Metro Government, are in use and result in a high incidence of false alarms.~~

~~—— (D) The Metro Council hereby determines that a high incidence of false alarms causes a significant misuse of the manpower and resources of the police, volunteer fire, emergency medical services, and other emergency service agencies of the Metro Government, by causing the dispatch of units to the scene of a false alarm which renders them out of service and unavailable to respond to legitimate emergency situations.~~

~~—— (E) The Metro Council hereby determines that an automatic dialing device, when signaling a false alarm, will seize and hold emergency service telephone communication lines thereby excluding the ability of the police, volunteer fire, emergency medical services or other emergency service agencies of the Metro Government to receive a legitimate emergency call.~~



~~\_\_\_\_\_ (F) The Metro Council hereby determines that the high incidence of false alarms and the harmful results of the use of automatic dialing devices in transmitting false alarms are a threat to the health, safety and welfare of the citizens of Jefferson County.~~

~~Section 93.03~~ CONNECTION OF AUTOMATIC DIALING DEVICES OR  
TELEMATICS TO EMERGENCY SERVICE COMMUNICATION  
\_\_LINES PROHIBITED.

(A) No person shall interconnect any automatic dialing device to an emergency service communication line within ~~Jefferson County~~ Louisville Metro, and no person shall permit such automatic dialing device to remain interconnected from any property owned or controlled by that person. Such automatic dialing devices may be interconnected to a modified central station or to an answering service. Relaying messages so received to the ~~emergency service~~ public safety agency shall only be done person-to-person on the telephone line(s) designated by ~~the chief, director or other designated official of the particular emergency service agency~~ policies of a Public Safety Answering Point. The chief, director or other designated official of the ~~emergency service~~ public safety agency, in consultation with MetroSafe and its secondary public safety answering points (if necessary), may approve a direct line installation between a modified central station or an answering service to the particular ~~emergency service~~ public safety agency, with full costs to be borne by the intermediate service.

(B) The use of telematics with regard to automatic dialing or interconnection with emergency services communication lines as detailed in this section is expressly prohibited.

## **IMPROVEMENT AND FUNDING**

### **§ 93.10 93.03 FINDINGS: APPLICATION TO SERVICE SUPPLIERS.**

~~(A) It is the desire of Metro Council to shorten the time and to simplify the method required for a resident of Jefferson County Louisville Metro to request and to receive emergency aid.~~

~~——(B) It is the intent of Metro Council to improve upon the Emergency Number 911 Telephone System throughout the legally bounded areas of Jefferson County, as provided by the County Resolution No. 24, Series 1984.~~

~~(C) It is the further intent of Metro Council to provide funding by which to allow operation, maintenance and enhancements of E 9-1-1 by levying a monthly charge upon each local exchange access facility subscribed by telephone subscribers whose local exchange access lines are in the area served by or which would be served by the E 9-1-1 service and/or system of the Metro Government.~~

~~(D) As a result of the Federal Telecommunications Act of 1996, and the introduction of competitive telephone service for Bell South Telecommunications, Inc. (BST) and ALLTEL Kentucky, Inc. (ALLTEL), which are "incumbent local exchange carriers," (ILEC), there are new service providers in Jefferson County Lousiville Metro, known as "competitive local exchange carriers" (CLEC). The~~

CLEC may have facilities in ~~Jefferson County~~ Louisville Metro, or could be resellers of services from an established local exchange carrier. This ordinance is intended to cover all facilities-based local exchange carriers operating in ~~Jefferson County~~ Louisville Metro.

(B) This Ordinance, in addition to governing all wireline Service Suppliers, also shall apply to VoIP suppliers/providers and telematics, as defined herein.

1. VoIP suppliers/providers shall be required to obtain a physical address to be associated with each VoIP account that belongs to a residence or business located within Louisville Metro.

~~§ 93.14~~ 93.04 ~~GENERAL REQUIREMENTS.~~

~~(A) The 911 System is the Enhanced System type and shall fully comply with all specified requirements of KRS 65.750 – 65.760.~~

~~(B) Through the combined efforts of the local exchange carriers, the DES, Planning Commission, and Communications Centers are charged with the responsibility of maintaining the database, managing the E911 system, providing guidance, support and assistance as needed to the municipalities, the Sheriff's Office, EMS, police, the Fire Districts and other Public Safety Agencies as may be appropriate.~~

~~(C) An Emergency Telephone System Fund shall be established in an interest-bearing account by the Department of Finance. The requirements and limitations in KRS 65.750 - 65.760 shall apply.~~

§ ~~93.12~~ 93.05 E911 SERVICE FEE, BILLING, COLLECTION AND  
OTHER FUNDING REQUIREMENTS.

(A) Metro Council is authorized by KRS ~~65.750 - 65.760~~ to adopt an ordinance to impose a monthly 911 charge upon each local exchange access facility subscribed to by telephone subscribers whose local exchange access lines are in the area served or which would be served by the 911 service. The E911 Service Fee shall be uniform and not vary according to the type of local exchange access facility used. ~~No collection of charges may be commenced before adoption of the ordinance. Further, t~~ This ordinance may be amended at any time to further ensure the delivery of services as required under the E911 system.

(B) The E911 Service Fee shall include charges as may be required by the Service Suppliers and agreed upon by the Metro Government for support, planning, operation and current or future enhancements as required by the Metro Government ~~and outlined in KRS 65.750 - 65.760~~ and shall be approved by the Metro Council to the normal adoption of the Ordinary and Capital Budgets. Said budget shall clearly delineate the estimated E911 Service Fee revenue and the associated expense, and sources of revenue and authorized expenses from sources other than the E911 Service Fee, by budget account and line item/object.

(C) An Emergency Telephone System Fund shall be established in an interest-bearing account by the Department of Finance.

(D) ~~(1)~~—Funding must be used only to pay for the following ~~enumerated items:~~ the establishment, operation, and maintenance of a 911 emergency communications system; this may include expenditures to train communications personnel and to inform the public of the availability and proper use of 911 service, as allowed by KRS 65.760.

~~(a) The lease, purchase, lease purchase, or maintenance of emergency telephone equipment, including necessary recording equipment, computer hardware, software and data base provisioning, addressing, mapping, operation and maintenance of the database of the 911 system, nonrecurring costs of establishing a 911 system, expenditures to train communications personnel and to inform the public of the availability and proper use of 911 services;~~

~~(b) Enhancements either currently available or available in the future offered by service suppliers and approved by legal authorities.~~

~~(2) Funding may not be used for the following enumerated items:~~

~~(a) Purchasing or leasing of real estate, cosmetic or remodeling of communications centers, except those building modifications necessary to maintain the security and environmental integrity of the PSAP and as referred in KRS Ch65;~~

~~(b) Mobile communications vehicles, fire units, law enforcement vehicles, ambulances, or other emergency vehicles, or other vehicles;~~

~~(c) Consultants or consultant fees for studies of implementation.~~

~~(C)(E)~~ The E911 service fee charge, which will become effective upon adoption of this ordinance, shall be no lower than \$0.79 per applicable subscriber line, for each billed line intended to have access to emergency service through the E911 telephone system. ~~Subsequently, t~~The rate of the E911 service fee charge shall be at a dollar value rate or fraction thereof, ~~as shall be determined that may be changed as needed, by the Metro Council, not to exceed the limitations provided under KRS 65.760(3).~~

~~(D)(F)~~ The Service Supplier shall remit to the Louisville Metro Department of Finance, acting as the fiscal agent on behalf of the E911 service providers, service fee collections within 30 days following the end of the calendar month in which they were billed. The allowable service charge for billing and collections shall be equal to no more than 1% of the total amount collected.

~~(E)(G)~~ The appropriate finance office shall cause procedures to be established with the Service Supplier for the identification of delinquent accounts and the Service Supplier shall forward such information to the appropriate authority for collection procedures.

§ 93.13 93.06 ~~ACCOUNTING AND MANAGEMENT.~~ ADMINISTRATION.

(A) ~~The Office of Disaster Emergency Services~~ Emergency Management Agency shall be responsible for the operational administration of this ordinance, and shall work with MetroSafe and the Louisville Metro Department of Planning and Design Services to maintain the database and 911 system, and to provide guidance, support and assistance as needed to the public safety agencies.

(B) ~~After a 60-month period, the system surcharge shall be reviewed for adjustments to reflect the full payment of the initial system installation and purchase. At that time, the surcharge amount shall be reduced to an amount to continually fund only the ongoing costs for maintenance, equipment replacement and enhancements.~~

§ 93.98 SEVERABILITY.

If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

§ 93.99 PENALTY.

(A) Any person who shall violate any provision of this chapter for which no other specific penalty is provided shall be subject to the provisions of Section 10.99.

(B) Any person violating any provision of Sections 93.01 through 93.03, shall, upon conviction thereof, be subject to a fine of not less than \$25, nor more than \$100, or imprisonment for up to 50 days, or both such fine and imprisonment.

(C) Any person who shall violate any provision of this ordinance, ~~including the provisions of KRS 65.750 – 65.760~~, shall be deemed to be guilty of a misdemeanor and, upon conviction of such offense, shall be fined not more than \$200 or imprisoned for not more than 30 days, and in addition shall pay all costs and expenses involved in the case. Each and every day or portion thereof during which any violation continues shall be considered a separate offense.

**SECTION II.** This Ordinance shall take effect upon its passage and approval.

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**Kathleen J. Herron**  
**Metro Council Clerk**

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**Kevin J. Kramer**  
**President of the Council**

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**Jerry E. Abramson**

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**Approval Date**

**APPROVED AS TO FORM AND LEGALITY:**

**Irv Maze**  
**Jefferson County Attorney**

**BY:** \_\_\_\_\_



**RESOLUTION No. \_\_\_\_ SERIES 2005**

**A RESOLUTION RENAMING THE SOUTH LOUISVILLE  
GOVERNMENT CENTER BUILDING IN HONOR OF  
WILLIAM H. "BILL" WILSON.**

**Sponsored By:** Council Members Julie Raque Adams, Stuart Benson, Ellen Call, Kelly Downard, Robin Engel, Ken Fleming, Cheri Bryant Hamilton, Doug Hawkins, Hal Heiner, Bob Henderson, Dan Johnson, Jim King, Kevin Kramer, George Melton, James Peden, Barbara Shanklin, Glen Stuckel, David Tandy, Leonard Watkins, and Mary Woolridge

**WHEREAS,** William H. "Bill" Wilson dedicated his life as public servant and political leader in the Louisville Community; and

**WHEREAS,** working in the private sector, Bill Wilson distinguished himself as creative director of an advertising and public relations firm; and

**WHEREAS,** during Bill Wilson's tenure, the agency received the prestigious American Federation of Advertising "ADDY Award"; and

**WHEREAS,** Bill Wilson was called to public service as 9th Ward Alderman for fourteen years from 1982 to 1996; and

**WHEREAS,** as Alderman, Bill Wilson served the 9th Ward with dedication and compassion exemplified by his work on various neighborhood improvements in the Park DuValle area, creation of the neighborhood paint program and prescription drug program for the needy; and

**WHEREAS,** Bill Wilson served as Chair of the Louisville Board of Aldermen Appropriations Committee; and

**WHEREAS,** while serving as an Alderman, he further distinguished himself by serving as President of the Board of Aldermen for three consecutive terms; and

**WHEREAS**, though on March 18, 2003 Bill Wilson's life was completed, his memory and spirit lives on through the many lives he touched, including loving wife Sandy; daughters, Michelle, Melanie, Yvette, Toni and Lisa; eight grandchildren; one aunt; and a host of other relatives and friends.

**BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**Section I:** In order to honor the memory of the former President of the Board of Alderman for the City of Louisville, the South Louisville Government Center Building at 2911 Taylor Blvd., Louisville, KY, is hereby named the "William H. 'Bill' Wilson South Louisville Government Center Building."

**Section II:** Henceforward, all signage and other written references produced by and for this building shall state this full name, or any abbreviation thereof, or may be shortened for convenience to the "Wilson Building."

**Section III:** This Resolution shall take effect upon its passage and approval.

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Kathleen J. Herron  
Metro Council Clerk

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Dr. Barbara E. Shanklin  
President of the Council

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Jerry E. Abramson  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Irv Maze  
Jefferson County Attorney

BY: \_\_\_\_\_

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**RESOLUTION NO. \_\_\_\_\_, SERIES 2005**

**A RESOLUTION URGING THE KENTUCKY PUBLIC SERVICE COMMISSION TO RE-EVALUATE LOUISVILLE GAS AND ELECTRIC COMPANY'S (LG&E) REQUEST FOR A NATURAL GAS RATE INCREASE, AND DECLARING THE ENACTMENT OF THIS RESOLUTION AN EMERGENCY.**

**Sponsored By:** Council Members Dan Johnson, Cheri Bryant Hamilton, Leonard Watkins, Barbara Shanklin, Mary Woolridge, David Tandy, George Unseld, Tom Owen, Tina Ward-Pugh, Jim King, Rick Blackwell, Ron Weston, Bob Henderson, George Melton, and Madonna Flood

**WHEREAS,** LG&E has been granted permission by the Kentucky Public Service Commission to increase natural gas rates by 64 percent; and

**WHEREAS,** these rates are now the highest of the major natural gas providers in the state of Kentucky, and exceed the increases allowed to other Kentucky utilities by as much as 30 percent; and

**WHEREAS,** as an example of the effect of this increase, a typical residential customer with average usage of 8000 cubic feet per month (mcf) will pay \$143.96 for monthly energy costs, effective November 1, 2005, compared with a cost of \$87.85 per month, based on the rates for the same quarter one year ago; and

**WHEREAS,** Indiana Utilities which is based in Corydon, Indiana and located less than 30 miles from Louisville, was granted only a 20 percent rate increase by the Indiana Utilities Regulatory Commission; and

**WHEREAS,** Indiana Utilities' average price for 1000 cubic feet (mcf) of natural gas after this 20 percent adjustment has increased to only \$13.55 per mcf; and

**WHEREAS,** LG&E's average price for 1000 cubic feet (mcf) of natural gas after its 64 percent adjustment has increased to \$15.41 per mcf; and

**WHEREAS**, Louisville Metro and Southern Indiana, which is located directly across the Ohio River and part of the Louisville metropolitan area, now have divergent energy costs; and

**WHEREAS**, having the highest natural gas rates in the region could hamper economic development efforts to attract new businesses and jobs to this community; and

**WHEREAS**, the increases approved for most utilities across the country do not approach the 64 percent approved for LG&E; and

**WHEREAS**, that LG&E will return any overcharge to customers in a future year through natural gas-price discounts may be of limited value to people who suffer a decrease in their present day quality of life due to an unjustified excessive rate increase; and

**WHEREAS**, that LG&E will return any overcharge to customers in a future year through natural gas-price discounts will be of no value to people who lose their homes, businesses, or lives due to an unjustified excessive rate increase; and

**WHEREAS**, if the rate increase is determined to be caused, in part, by unwise decision-making on the part of LG&E in the purchase of natural gas and natural gas futures, then the customers of LG&E should not solely bear the burden of excessive increases, but rather that burden should be shared by the company and its stockholders.

**BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**SECTION I:** The Kentucky Public Service Commission is urged to re-evaluate its approval of LG&E's rate increase request, based upon the lower price structure of other Kentucky and Indiana utilities, as well as the record of much smaller increases approved by other regulatory agencies across the country.

**SECTION II:** A copy of this resolution shall be forwarded to the Kentucky Public Service Commission and the Kentucky Attorney General.

**SECTION III:** In recognition of the compelling need to assist with the impending home heating crisis and pursuant to Section 7.12 of the Rules of the Council, the enactment of this Resolution is deemed an emergency.

**SECTION IV:** This Resolution shall take effect upon its passage and approval.

\_\_\_\_\_  
Kathleen J. Herron  
Metro Council Clerk

\_\_\_\_\_  
Dr. Barbara E. Shanklin  
President of the Council

\_\_\_\_\_  
Jerry E. Abramson  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Irv Maze  
Jefferson County Attorney

BY: \_\_\_\_\_